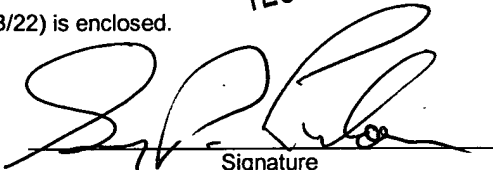
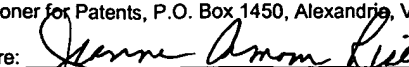


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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		<b>Docket Number (Optional)</b> 56446 (09010-045002)	
In re Application of Jay M. Short, et al.			
Application Number 09/902,525		Filed July 9, 2001	
For <b>ENZYMES HAVING THERMOSTABLE PHOSPHATASE ACTIVITY AND METHODS OF USE THEREOF</b>			
Art Unit 1652		Examiner Richard G. Huston, Ph.D.	
Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$ 330.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ 165.00	
<input type="checkbox"/> A check in the amount of the fee is enclosed.		02/09/2004 SSESHE1 00000006 031952 00000000	
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.		01 FC:2401 165.00 DA	
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.		<b>RECEIVED FEB 12 2004 TECH CENTER 1600/2900</b>	
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1952</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
I am the			
<input type="checkbox"/> applicant /inventor		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		Gregory P. Einhorn Typed or printed name	
<input type="checkbox"/> attorney or agent of record. Registration number _____		(858) 720-5133 Telephone number	
<input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). <u>38,440</u>		February 3, 2004 Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of <u>4</u> forms are submitted.			

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.  
Dated: February 3, 2004 Signature:  (Jeanne Amour-Rice)